

GENERAL ORDINANCE NO. G- 40-92

AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA AMENDING
CHAPTER 33 OF THE MUNICIPAL CODE OF THE
CITY OF FORT WAYNE, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That Section 33-9. Establishment and
designation, shall be deleted in its entirety and replaced
with the following language:

Sec. 33-9. Establishment and designation.
For the purpose of this chapter, the city is hereby
divided and classified into twenty (20) districts
designated as follows:

R1 One-Family Residence District
R2 Two-Family Residence District
R3 Multi-Family Residence District
RA Residence District A
RB Residence District B
B1A Limited Business District
B1B Limited Business District
B2A Neighborhood Shopping Center
B2B Community Shopping Center
B2C Metropolitan Shopping Center
B2D Regional Shopping Center
B3A General Business District A
B3B General Business District B
B4 Roadside Business District
M1 Light Industrial District
M2 General Industrial District
M3 Heavy Industrial District
MHP Mobile Home Park
POD Planned Office District
PUD Planned Unit Development

The above districts and their representative boundaries
are hereby established as shown by the symbols on the map
entitled "City of Fort Wayne Zoning Map," dated September
16, 1969, which is on file in the Office of the Plan
Commission which map and all explanatory matter thereon
by reference is incorporated herein and made a part
hereof.

Lands which may hereafter be included or re-included in
the territorial jurisdiction of the City Plan Commission
shall automatically become classified in the following
corresponding City Zoning Districts when such lands at
the time of their inclusion in the jurisdiction of the
City Plan Commission are classified under the zoning laws
of the County, as indicated below, subject to amendment
as provided in this chapter:

County District
Designation

City District
Designation

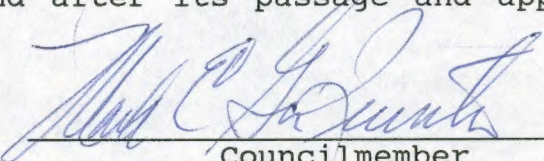
AE	Exclusive Agricultural	RA
A1	Agricultural	RA
A2	Flood Hazard	RA
A3	Estates	RA
RS1	Suburban Residential	R1
RS2	Two-Family Residential	R2

#515

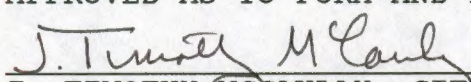
RS3	Multiple Family	R3
MH	Manufactured Housing	MHP
RSP1	Planned Single Family	R1
RSP2	Planned Two-Family	R2
RSP3	Planned Multiple Family	R3
RSPMH	Planned Manufactured Housing	MHP
C1A	Professional & Personal Service	B1A
C1A(P)	Planned Pro. & Per. Service	B1A
C1B	Business & Technology	M1
C1B(P)	Planned Bus. & Tech.	M1
C1	Limited Commercial	B1B
C1(P)	Planned Limited Commercial	B1B
C2A	Neighborhood Shopping Center	B2A
C2B	Community Shopping Center	B2B
C2C	Metropolitan Shopping Center	B2C
C2D	Regional Shopping Center	B2D
C3	General Commercial	B3B
C3(P)	Planned General Commercial	B3B
C4	Roadside Commercial	B4
C4(P)	Planned Roadside Commercial	B4
C5	Commercial Interchange	B1B
C6	Drive-In Facility	B4
I1	Light Industrial	M1
I1(P)	Planned Light Industrial	M1
I2	General Industrial	M2
I2(P)	Planned General Industrial	M2
I3	Heavy Industrial	M3
I3(P)	Planned Heavy Industrial	M3
I4	Industrial Park	M2
IP	Planned Industrial	M2

If no zoning conversion is specifically noted in this Article, then, the Plan Commission shall designate the appropriate zoning classification for the subject property based on the recommendations of the Comprehensive Plan, and existing and proposed development.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Edmonds,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock
_____, M., E.S.T.

DATED: _____

7-14-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds,
and duly adopted, placed on its passage. PASSED ROSE
by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: _____

8-11-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-40-92
on the 11th day of August, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 12th day of August, 1992,
at the hour of 10:30 o'clock 9, M., E.S.T.,

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of August,
1992, at the hour of 4:30 o'clock 9 M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

N/A

Reason for Project

Establishment and designation provides a zoning conversion table from County to City, and also designates the zoning classifications for the city. The current language shall be deleted in its entirety and replaced with the amendment text.

Discussion (Including relationship to other Council actions)

20 July 1992 - Public Hearing

Steve Ranshaw, Senior Planner, for Community and Economic Development appeared before the Commission. Mr. Ranshaw stated that the current Zoning Ordinance has a conversion chart for County zoning to City zoning. He stated that recently the County has come up with a lot more zoning classifications than what we currently have in the Zoning Ordinance. He stated that all we have done is included the new County classifications and come up with corresponding City classifications and incorporated that into an amendment for the Zoning Ordinance. He stated the only other thing this amendment does is state that if there is no concurrent or specific classification or conversion noted in the ordinance, it puts it upon the Plan Commission then, to come up with whatever the appropriate conversion would be.

There was no one else present who spoke in favor of or in opposition to the proposed amendment.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
ProponentsApplicant(s)
City Plan Commission

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☒ For ☐ Against

Reason Against

Board or
Commission
Recommendation

By

☒ For ☐ Against☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)CITY COUNCIL
ACTIONS
(For Council
use only)☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

27 July 1992 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote.

Motion carried.

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

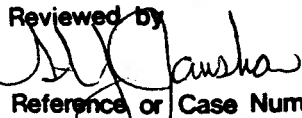
Date 16 June 1992

Projected Completion or Occupancy

Date 28 July 1992

Fact Sheet Prepared by
Patricia Biancaniello

Date 28 July 1992

Reviewed by

Reference or Case Number

Date
28 July 1992



MEMORANDUM

TO: Plan Commission Members

FROM: Steven J. Ranshaw, Senior Planner, Land Use Management

DATE: July 20, 1992

SUBJECT: Amendment to Zoning District Establishment and Designation Section of the Fort Wayne Zoning Ordinance

Background

Section 33-9 of the Fort Wayne Zoning Ordinance provides for the establishment and designation of zoning classifications within the City of Fort Wayne. This section also provides a specific zoning conversion for recently annexed property. This section has not been updated recently and zoning classifications have continually been added or existing districts have been modified within the Allen County Zoning Ordinance. The objective of this amendment is to assure the orderly conversion of annexed property from Allen County to the City of Fort Wayne as it pertains to the zoning classification of said property.

Proposal

The language attached to this memorandum includes all the existing zoning districts incorporated by the Allen County Plan Commission with a specific zoning conversion to a classification designated in the City of Fort Wayne's Zoning Ordinance. The proposed amendment also provides a mechanism for the designation of annexed property, if no zoning conversion is specifically noted in this Article. This mechanism would provide for the Plan Commission to designate the appropriate zoning classification for the subject property based on the recommendations of the Comprehensive Plan, and existing and proposed development.

Recommendation

This amendment to the zoning ordinance has been long overdue. A comparison of the existing and the proposed text indicates that there are almost twice as many County zoning classifications as were included in the existing text. The exclusion of designated County zoning districts will create problems as annexed property is brought into the jurisdiction of the Plan Commission of the City of Fort Wayne. The proposed amendment will accomplish the objective noted in the "Background" section of this memorandum by providing for the orderly zoning conversion of annexed property from Allen County to the City of Fort Wayne.

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1992 referred a proposed text amendment which proposed amendment was designated as Bill No. G-92-07-07; and,

WHEREAS, the required notice of public hearing on such proposed amendment has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed amendment on July 20, 1992.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this amendment be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

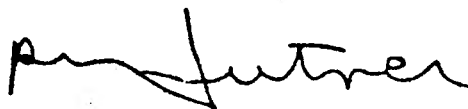
(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1992.

Certified and signed this
28th day of July 1992.



Robert Hutner
Secretary

#515
ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Amendment to Section 33-9. Establish-
ment and designation provides a zoning conversion table from
County to City, and also designates the zoning classifications
for the City. The current language shall be deleted in its
entirety and replaced with the amendment text.

592-07-07

EFFECT OF PASSAGE The objective of this amendment is to assure
the orderly conversion of annexed property from Allen County to
the City of Fort Wayne as it pertains to the zoning classification
of said property.

EFFECT OF NON-PASSAGE The current text does not identify all
County zoning districts, as such, annexed land may not have a
corresponding City zoning classification identified in the
ordinance.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. G-92-07-07

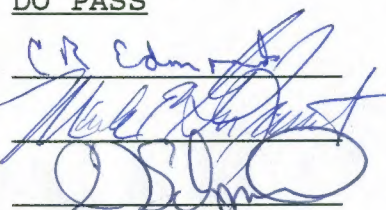
REPORT OF THE COMMITTEE ON
REGULATIONS

CLETUS R. EDMONDS, CHAIR
MARK E. GIAQUINTA, VICE CHAIR
RAVINE, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 33 OF THE
MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
			

DATED: 8-1-92

Sandra E. Kennedy
City Clerk